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C O N F I D E N T I A L SECTION 01 OF 04 HARARE 001034

SIPDIS

AF/S FOR B. WALCH
DRL FOR N. WILETT
ADDIS ABABA FOR USAU
ADDIS ABABA FOR ACSS
STATE PASS TO USAID FOR E. LOKEN AND L. DOBBINS
STATE PASS TO NSC FOR SENIOR AFRICA DIRECTOR B. PITTMAN

E.O. 12958: DECL: 11/19/2018
TAGS: [PGOV](#) [PREL](#) [ASEC](#) [PHUM](#) [ZI](#)
SUBJECT: STATE OF PLAY IN ZIMBABWE--NO END IN SIGHT

REF: PRETORIA 2486

Classified By: Ambassador James D. McGee for reason 1.4 (d)

SUMMARY

¶1. (C) ZANU-PF has been using the SADC Extraordinary Summit Communique to argue that the MDC-T is the obstacle to implementation of a power-sharing government. The MDC-T has indicated it will not participate in a government until core issues, in addition to control of the Home Affairs Ministry, are addressed. With ZANU-PF unwilling to meet the MDC-T's demands, many in the MDC believe the September 15 agreement is dead. The MDC-T will not, however, cede what it believes is the moral high ground to ZANU-PF by withdrawing from negotiations. It appears to be adopting a long-range strategy of opposing ZANU-PF from within Parliament, and waiting for the ruling party to collapse. Meanwhile, Zimbabwe is effectively without a government to address its growing humanitarian crisis. END SUMMARY.

Since the SADC Summit: ZANU-PF

¶2. (U) The Communique issued by SADC Secretary General Salomao following the November 9 Summit instructed Zimbabwe's political parties to form an inclusive government immediately, sharing responsibility for the Ministry of Home Affairs. Since this instruction coincided with ZANU-PF's offer on the table entering the Summit, it is not surprising that ZANU-PF has attempted to turn the SADC Communique into a propaganda tool and to place the MDC-T on the defensive. Noting that the MDC-T had requested the Extraordinary Summit after the SADC Troika meeting on October 27 in Harare had failed to result in a final agreement, ZANU-PF immediately indicated its willingness to comply with the Communique. A Politburo meeting on November 12 unanimously endorsed the SADC position; ZANU-PF then invited the MDC to submit names

of proposed ministers. The (illegitimate) GOZ Minister of Information, Sikhanyiso Ndlovu, announced that the (illegitimate) State's legal drafting team had drafted Constitutional Amendment 19 and submitted it to SADC Facilitator Mbeki for scrutiny. Ndlovu outlined remaining steps in the formation of a new government as purely procedural: a waiting period while Amendment 19 is under public review, appointment of a cabinet and approval of the Amendment by Parliament.

¶3. (U) While official statements emanating from ZANU-PF leaders are positive about the current state of the political dialog, the state-controlled press has maintained a drumbeat of criticism of the MDC-T and Morgan Tsvangirai. These unofficial ZANU voices treat any MDC expression of dissatisfaction with the outcome of the Summit as evidence of dissension in the party and signs of western manipulation of MDC-T leaders. On November 18, The Herald's banner headline read "Divisions rock MDC-T...as hawks seek Tsvangirai's ouster." Tsvangirai's trip to France has provided fodder for this effort.

Since the SADC Summit: MDC-T

¶4. (U) The MDC-T, for its part, received no satisfaction on the matters it had raised at the summit from the SADC Communique. The MDC-T publicly condemned the SADC ruling as having failed to address what it considered core issues: 1)

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in addition to Home Affairs, an equitable distribution of all ministries; 2) division of governorships between the two parties; 3) appointments of ambassadors and permanent secretaries; 4) composition of the national security council; 5) discrepancies between the agreement of September 11 and the agreement actually signed on September 15; and 6) agreement on Amendment 19 encapsulating the power-sharing agreement before formation of a government.

¶5. (U) On November 14, the MDC-T National Council met to formally consider the party's position. The Council adopted a Resolution which condemned the SADC Communique and referred to the necessity of resolving all the outstanding issues. However, the resolution did not explicitly state that resolution of these issues was a precondition for participation in government. Confusingly, it also said: "the MDC shall participate in a new government once Constitutional Amendment No. 19 has been passed and effected into law." The government media seized upon the MDC-T statement to say that the MDC-T would enter into government as soon as Amendment 19 was drafted and passed. On November 17, the MDC-T issued a press release to clarify its position and stated that resolution of all core issues was a prerequisite to MDC-T participation in a government.

¶6. (C) MDC-T secretary-general Tendai Biti, both privately in conversations with us and in a diplomatic briefing on November 17, stated that he believed the September 15 agreement was for all intents and purposes dead. Biti said that the National Council's resolution was designed to be conciliatory while at the same time staking out a hard position. He explained the reference to joining government once Amendment 19 was adopted by pointing out that agreement on Amendment 19 would require agreement on the other issues in dispute and on other matters left vague in the Agreement, such as the interpretation of the President's obligation to "consult" with the Prime Minister. This would be extraordinarily difficult. The MDC-T would not withdraw from the SADC process in order to avoid ceding the moral high ground to ZANU-PF. It intended to press its case with the AU and ultimately the UN. MDC-T president Morgan Tsvangirai has been traveling since the SADC Summit to consult with African leaders. Biti claimed that both Jacob Zuma and South African President Motlanthe had apologized to Tsvangirai for the SADC

Summit Communique, and that both had agreed that Home Affairs alone was not the only issue. Biti admitted, however, that he did not believe either the AU or UN would actively take up the MDC-T's cause. Biti believed that the economic situation, splits within ZANU-PF, MDC solidarity, and international opposition to the ruling party and support for the MDC would ultimately result in change. Other than raising the possibility of street demonstrations, which he conceded would be difficult to organize and sustain, and opposition to the GOZ in Parliament, Biti offered no concrete roadmap for MDC-T action.

Welshman Ncube: A Contrarian View

¶7. (C) Ncube told us on November 18 that MDC-M viewed negotiations as a tripartite process. MDC-M would not enter into government unless all three parties--ZANU-PF, MDC-T and MDC-M--were in agreement to form a government. He opined that the September 15 agreement was probably dead, and a dance was now occurring between ZANU-PF and MDC-T to lay blame for its failure on the other. Specifically, he said that MDC-T negotiators Biti and Elton Mangoma did not want an agreement; while ZANU-PF and Mugabe wanted an agreement, they would not make the concessions demanded by MDC-T.

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¶8. (C) Ncube said the GOZ-prepared draft of Amendment 19 was now with SADC mediator Thabo Mbeki, and that Mbeki was seeking to facilitate a discussion on it. Biti and Mangoma, however, were avoiding Mbeki. The next step would await Tsvangirai's return to South Africa later this week.

¶9. (C) Tsvangirai had told South African president Motlanthe and ANC president Jacob Zuma, Ncube claimed, that he would enter the government if an agreement on Amendment 19 was reached. Ncube acknowledged this was not the position of Biti, Mangoma, and other hardliners in MDC-T who were insisting on total control of the Home Affairs Ministry and other concessions. (COMMENT: Bad blood between Biti and Ncube is such that even when both are saying the same thing, they present their positions as contradictory. This may be the case with their characterization of MDC-T's position on Amendment 19. END COMMENT.)

¶10. (C) Ncube said he favored a government of national unity, even if ZANU-PF did not meet some of MDC-T's conditions. He described Mugabe and ZANU-PF as fascistic and said that the entry of the MDC into government would not make that party more democratic. The goal of MDC participation in a power-sharing government would be to restrain ZANU-PF from its excesses, e.g., violence, to begin the process of economic recovery, and to prevent ZANU-PF from subverting the next election. He also thought that MDC participation in government would weaken ZANU-PF since MDC members would occupy a number of positions now held by ZANU-PF, causing disaffection among ruling party officials who no longer had positions.

COMMENT

¶11. (C) The next step will be discussions among the parties on Amendment 19. From Biti's point of view, the drafting of the Amendment would logically be tasked to the negotiators jointly, and the text would include details of most of the issues still in dispute, such as composition of the National Security Council, discrepancies between the September 11 and 15 texts, and the actual authorities of the Prime Minister. If this is indeed the position of the MDC as a whole, the text prepared by GOZ legal drafters will almost certainly be rejected out of hand by the MDC. If, however, divisions remain within the MDC-T, they could manifest themselves in

discussion of the Amendment.

¶12. (C) Tsvangirai during the past several months has expressed a desire to get into government and work for change from within as long as his powers as Prime Minister were assured. Biti and others have taken a more hard-line approach, often privately criticizing Tsvangirai for not being tough enough. We believe that the hardliners are in control for the moment, and that Tsvangirai will hold out for a satisfactory resolution of key MDC-T issues, either in Amendment 19 or otherwise. The hardliners fundamentally do not believe an agreement with ZANU-PF can work. Their insistence on preconditions which they believe ZANU-PF will not agree to is a way of undermining the possibility of an agreement.

¶13. (C) For its part, ZANU-PF believes it is in the driver's seat after the SADC Communique. Seeking to avoid offending SADC, it is likely to either leave ministerial positions unfilled, fill only 15 of the 31 positions allocated to it under the September 15 agreement, or name ministers for the MDC slots as "caretakers." Meanwhile, it will push for discussion of Amendment 19 and seek to demonstrate that it is complying with the SADC Communique.

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¶14. (C) At this point, we see no agreement between the parties in sight. Each side is seeking to position itself to blame the other side when and if negotiations completely break down. But while the parties remain at a standoff, there is no government in Zimbabwe capable of addressing the increasingly desperate humanitarian situation. END COMMENT.

McGee